IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

SATURDAY, THE TWENTY EIGHTH DAY OF JANUARY
TWO THOUSAND AND SIX

PRESENT

THE HON'BLE MR JUSTICE C.Y.SOMAYAJULU

WRIT PETITION NO : 21570 of 1996

Between:

Vallepu Narasamma W/o Lakshmaiah
R/o. Molakalapudi Village, Venkatachalam Mandal, Nellore District.

..... PETITIONER

AND

1 The District Collector,
NELLORE, NELLORE DIST,
2 The Mandal Revenue Officer, Venkatachalam Mandal,
Nellore District.
3 The Executive Engineer, Irrigation Department, Central Division, Nellore District.

.....RESPONDENT(S)

The Court made the following :

ORAL ORDER:

Petitioner who is sought to be dispossessed from Ac.0-31 cents in S.No.1140/4lA of Molakalpudi village, on the ground that it is required for a public purpose, without initiating proceedings under the provisions of the Land Acquisition Act, filed this writ petition questioning the action of the respondents in trying to dispossess him.

By the order dated 10-10-1996, in WPMP No. 26632 of 1996, a learned Judge of this Court, while admitting the writ petition, restrained the respondents from interfering with the peaceful possession and enjoyment of the petitioner in respect of the aforesaid land of Ac.0-31 cents.

Though the said order was passed in the year 1996, no counter affidavit has been filed on behalf of the respondents till today.

Since a owner of land cannot be deprived ofhis land save by the authority of law as per Art. 300 A of the Constitution of India, and since the respondents are

said to be taking action to deprive the petitioner of his property without paying any compensation to him, the writ petition is allowed with costs with a direction to the respondents not to interfere with the possession and enjoyment of the petitioner over the aforesaid extent of Ac.0-31 cents except in accordance with law i.e. by taking recourse of the provisions of the Land Acquisition Act.

C.Y.SOMAYAJULU, J.

28-01-2006

Kvsn

That Rule Nisi has been made absolute as above.

Witness the Hon'ble Sri G.S.Singhvi, the Chief Justice on this Saturday, 28th Day of January Two Thousand and Six.

REGISTRAR